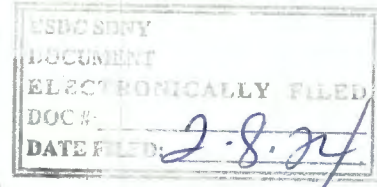


MEMO ENDORSED**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TELECOM BUSINESS SOLUTION, LLC, <i>et al.</i> ,	:	Civil Action No.: 1:22-cv-01761
	:	
Petitioners,	:	Judge Lewis A. Kaplan
	:	
v.	:	Magistrate Judge Robert W.
	:	Lehrburger
TERRA TOWERS CORP., <i>et al.</i> ,	:	
	:	
Respondents.	:	
-----	X	

**MOTION TO HOLD RESPONDENTS IN CIVIL CONTEMPT AND
FOR CONTEMPT SANCTIONS**

Telecom Business Solution, LLC and LATAM Towers, LLC (collectively, “Peppertree”) and AMLQ Holdings (Cay) Ltd. (“AMLQ,” and together with Peppertree, “Peppertree/AMLQ”), jointly through the undersigned counsel, move this Court to hold Respondents Terra Towers Corp. and TBS Management, S.A. (collectively, “Respondents”) in contempt of Court for their willful failure to abide by this Court’s January 18, 2023 Order, ECF No. 124, which confirmed the Tribunal’s First Partial Final Award (“FPFA”), and related Judgment, ECF No. 125. Specifically, Respondents have failed and refused to perform their obligations under the Order, which confirmed in full the FPFA issued on February 24, 2022. Respondents should therefore be held in civil contempt and be required to immediately perform their obligations under the FPFA or be coercively sanctioned for their contempt by being required to pay an initial fine of \$2,500 per day, followed by an increase in daily sanctions of \$1,000 per day (for a total of \$3,500 per day, then \$4,500 per day, and so on), following each ten calendar days of further non-compliance, or otherwise in a manner this Court deems appropriate to ensure compliance. The grounds for this motion are set forth more fully in the attached memorandum of law.

Memorandum Endorsement Telecom Bus. Sol. LLC v. Terra Towers Corp., 22-cv-1761 (LAK)

The motion is denied without prejudice to renewal after 45 days. Any renewed motion shall set forth in detail all measures taken by plaintiffs to collect the sums awarded by the First Partial Final Award (the “FPFA”), including all efforts to obtain discovery in aid of collection, and the results of such efforts in addition to such other matter as petitioners think appropriate.

This order should not be taken as indicating any ruling as to whether the FPFA is a “judgment” within the meaning of Federal Rule of Civil Procedure 69 or any other issue that may be relevant to any renewed motion.

SO ORDERED.

Dated: February 8, 2024

A handwritten signature in black ink, appearing to read 'Lewis A. Kaplan', is written over a horizontal line.

Lewis A. Kaplan
United States District Judge